

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**DAWN BALL,
Plaintiff**

v.

**LT. BECKLEY, et al.,
Defendants**

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No. 1:11-cv-01829

(Judge Kane)

(Magistrate Judge Carlson)

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On August 28, 2013, Magistrate Judge Carlson issued a Report and Recommendation (Doc. No. 135) recommending that the Court grant Defendant Dr. Gregory Famiglio's motion for summary judgment (Doc. No. 80) on Plaintiff Dawn Ball's claim that Defendant Famiglio violated her Eighth Amendment right to be free from cruel and unusual punishment. (Doc. No. 1.) On September 5, 2013, Plaintiff filed objections to Magistrate Judge Carlson's Report and Recommendation. (Doc. No. 137.) The objections fail to address the legal findings in the Report and Recommendation in any meaningful way, in that they rely nearly exclusively on conclusory statements, and fail to establish any genuine issue of material fact. Upon a review of the record, the applicable law, and Plaintiff's filings, the Court detects no error in Magistrate Judge Carlson's findings, and will adopt the Report and Recommendation.

ACCORDINGLY, on this 2nd day of December 2013, **IT IS HEREBY ORDERED**
THAT:

1. Magistrate Judge Carlson's Report and Recommendation (Doc. No. 135) recommending that the Court grant Defendant Famiglio's motion for summary judgment is **ADOPTED**;
2. Plaintiff's objections (Doc. No. 137) are **OVERRULED**;
3. Defendant Famiglio's motion for summary judgment (Doc. No. 80) is

GRANTED;

4. The Clerk of Court shall defer entering judgment until all claims are adjudicated.;
and
5. All further proceedings and resolution of pending motions in this action, including the Department of Corrections Defendants' pending motion for summary judgment (Doc. No. 109) and Plaintiff's motion to deny Defendants' summary judgment motion (Doc. No. 141), are referred to Magistrate Judge Carlson.

s/ Yvette Kane
Yvette Kane, District Judge
U.S. District Court
Middle District of Pennsylvania